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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/869,205	09/17/2001	David Sadek	136.160	9799

7590 03/07/2007  
 PATTERSON, THUENTE, SKAR & CHRISTENSEN, P.A.  
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 80 SOUTH 8TH STREET  
 MINNEAPOLIS, MN 55402-2100

EXAMINER

HOLMES, MICHAEL B

ART UNIT	PAPER NUMBER
2121	

2121

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/07/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

<b>Application No.</b> 09/869,205	<b>Applicant(s)</b> SADEK ET AL.	
<b>Examiner</b> Michael B. Holmes	<b>Art Unit</b> 2121	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE (3) MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1)  Responsive to communication(s) filed on 06 December 2006.
- 2a)  This action is **FINAL**.                      2b)  This action is non-final.
- 3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4)  Claim(s) 1-34 is/are pending in the application.  
4a) Of the above claim(s) 1-25 is/are withdrawn from consideration.
- 5)  Claim(s) 34 and 35 is/are allowed.
- 6)  Claim(s) 26 is/are rejected.
- 7)  Claim(s) 27-33 is/are objected to.
- 8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9)  The specification is objected to by the Examiner.
- 10)  The drawing(s) filed on \_\_\_\_\_ is/are: a)  accepted or b)  objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All    b)  Some \*    c)  None of:
1.  Certified copies of the priority documents have been received:  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1)  Notice of References Cited (PTO-892)
- 2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3)  Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4)  Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5)  Notice of Informal Patent Application
- 6)  Other: \_\_\_\_\_



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### Examiner's Detailed Office Action

1. This Office Action is responsive to application 09/869,205, filed September 17, 2001.
2. Claims 26-34 have been examined.
3. Claims 1-25 have been canceled.

### Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

5. The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Art Unit: 2121

6. Claim 26 is rejected under 35 U.S.C. 102(e) as being anticipated by *Hodjat et al.* (USPN 6,144,989).

Regarding claim 26. *Hodjat et al.* disclose a method of dialogue between a user and a software agent (user-input request, col. 4, lines 47 - 51, Input agents, col. 11, lines 6 -14) operating on a server (networked devices are considered to have a local server, col. 9, lines 55 63), the software agent including a rational unit (Feedback Agents, col. 11, lines 21 - 33), said method comprising the steps of:

receiving, by the software agent (Input agents, col. 11, lines 6 -14), statements in natural language originating from the user (col. 11, lines 10 - 14);

interpreting the statements in a logical statement that acts as input to the rational unit (KQML, col. 13, lines 61 -67 to col. 14, lines 1-14);

determining the existence of at least one behavioral principle (col. 15, lines 43 46 the behavioral principle is interpreted as the intent of the user since no definition has been provided in the specification) applying to the logical statement among a set of predetermined principles (Interpretation policy, col. 14, lines 40 - 42), deducing one or more logical consequences (determining where to send messages is a logical consequence of the users input, col. 14, lines 33 - 42) as a function of the at least one behavioral principle (user input);

determining communication actions to be made corresponding to the deduced logical consequences (routing the messages to the appropriate agent, col. 14, lines 48 50), the communication actions being output from the rational unit (Feedback agent 422);

transcribing the communication actions in a statement in natural language (KQML); and

Art Unit: 2121

sending the transcribed statement to the user (Col. 16, lines 58 - 62), wherein the logical statement at input (414) to the rational unit (422) and the communication actions at output of the rational unit (422) are formalized in a communication language utilized as a communication language between software agents (the language used between the agents is a common language KQML).

### Claim Objection(s)

7. Claims 27-33 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

### Correspondence Information

8. Any inquires concerning this communication or earlier communications from the examiner should be directed to Michael B. Holmes, who may be reached Monday through Friday, between 8:00 a.m. and 5:00 p.m. EST. or via telephone at (571) 272-3686 or facsimile transmission (571) 273-3686 or email [michael.holmesb@uspto.gov](mailto:michael.holmesb@uspto.gov).

If you need to send an Official facsimile transmission, please send it to (571) 273-8300.

If attempts to reach the examiner are unsuccessful the Examiner's Supervisor, Anthony Knight, may be reached at (571) 272-3687.

Hand-delivered responses should be delivered to the Receptionist @ (Customer Service Window Randolph Building 401 Dulany Street Alexandria, VA 22313), located on the first floor of the south side of the Randolph Building.

Art Unit: 2121

Finally, information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Moreover, status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have any questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) toll-free @ 1-866-217-9197.

***Michael B. Holmes***

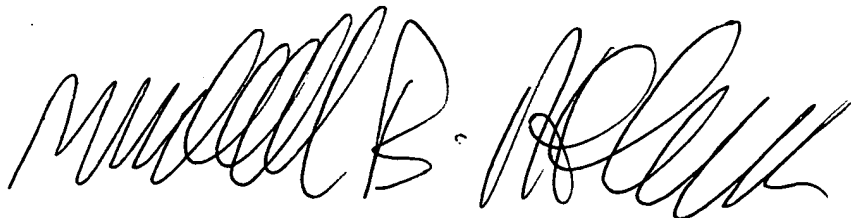
Patent Examiner

Artificial Intelligence

Art Unit 2121

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A handwritten signature in black ink, appearing to read "Michael B. Holmes". The signature is stylized and cursive.

2/27/07